

BATON ROUGE POLICE DEPARTMENT

General Order
No.102

Effective Date
05-01-1997

Revised Date
6-30-2020

Subject: Extra Duty, Secondary Employment, and Courtesy Dwellings
Reviewed 6/11/20

POLICY

The Department regulates off-duty employment for all officers. With limited exceptions, officers may only work sixteen hours a day. There is a process for documenting officers' off-duty work contained in this order.

The procedure also defines what type of off-duty employment is acceptable and what is not. Officers will not be allowed to work for some types of businesses. Employment that may lead to a conflict of interest or threatens the integrity of the department will not be approved.

DEFINITIONS

Employment

For the purposes of this policy, employment is considered the provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.

Extra-Duty Employment

Extra-duty employment is a job where one of the requirements is being a sworn law enforcement officer.

Extra Duty Administrative Officers

Extra duty Administrative Officers are responsible for scheduling officers to cover the hours needed by the employer and making sure all paperwork that is needed for officers working and paperwork from the employer is provided to the Extra Duty office. The administrative officer may charge a fee to the employer for administering the extra duty. This must also be reported to the Extra Duty office. Administering an extra duty detail is considered working extra duty.

One Time Detail

A one-time detail is temporary extra-duty employment.

Secondary Employment

Secondary employment is a job where there is no requirement to be a sworn law enforcement officer.

Courtesy Dwelling

An officer agrees to reside in a dwelling at a reduced rate of rent or free rent in exchange for providing security for said dwelling.

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PROCEDURES

I. Secondary Employment

- A. Officers may engage in secondary employment, where the work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty. Letters of request for secondary employment must be submitted to the Chief of Police through the Extra Duty Office.
- B. Officers may not be employed in any capacity by a business that presents a conflict of interest between their duties as a police officer and their duties for the secondary employer. Some examples of employment representing a conflict of interest are:
 - 1. As a process server, re-possessor, bill collector, tow truck operator, or in any other employment that police authority might be used to collect money or merchandise for private employers.
 - 2. Any employment that might require access to police information, files, records or services as a condition of employment.
 - 3. In police uniform performing tasks other than those of a police officer.
 - 4. Assisting the case preparation for the defense in any criminal action or proceeding.
 - 5. For a business or labor group that is on strike.
 - 6. Private investigations (i.e. divorce, child custody, insurance).
- C. The Chief of Police may authorize exceptions on a case by case basis for investigation related off duty employment that does not require the use of police powers. Requests for exceptions must be submitted to the Chief of Police through the Extra Duty Office.
- D. Officers may not be employed in any capacity by a business that constitutes a threat to the status or dignity of the Department. Examples of prohibited employment are:
 - 1. Establishments that sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
 - 2. Any gambling establishment.

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II. Extra Duty Employment (Generally)

- A. Police officers may work extra duty for a government, business, or a not-for-profit entity that otherwise meets the criteria set forth in this policy. Examples of services that may be considered suitable for extra duty employment are:
 - 1. Traffic control and pedestrian safety
 - 2. Crowd control
 - 3. Security and protection of life and property
 - 4. Routine law enforcement for public authorities.
- B. Employers who wish to employ extra duty officers must complete an application and submit it to the Extra Duty Office. Applications will be processed and given to the Chief of Police who will approve or deny the request. Permission to employ extra-duty officers may be revoked at any time.
- C. If approved, employers must submit monthly statements to the extra-duty office by the 5th of the next month. (Example, January's extra duty monthly statement is due by February the 5th.) Each statement will list the name of the officer(s) who worked, the dates and hours each officer worked and the amount paid to each extra-duty officer during the period.
- D. The Chief of Police will establish minimum extra duty rates. All payments must be by check or money order. No officer may receive cash.
 - 1. The amount per hour billed to the employer must accurately reflect that which is paid to the officers working the detail. No employee may charge another employee a fee for working extra duty.
 - 2. Any extra-duty or secondary employment performed by an officer is not eligible for membership service in the Employee's Retirement System of the East Baton Rouge City/Parish (MPERS).
- E. Officers who are direct hires (previously POST certified) that have successfully completed the POST academy, the FTO program, and have three years consecutive law enforcement experience before being hired by the Baton Rouge Police Department may work extra duty.

III. Limitations on Secondary/Extra-Duty Employment

- A. Officers must be in good standing with the Department in order to be eligible for outside employment. Misconduct or poor performance on-duty may result in revocation of approval.
- B. Only commissioned full-time police officers may engage in extra duty employment. Cadets and communications officers are not permitted to work extra duty. Officers serving a suspension or who have not been confirmed may not engage in extra duty employment.

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- C. Officers on administrative leave, for discipline or for an investigation, may not engage in extra duty.
- D. Non-sworn personnel shall not be allowed to accompany a commissioned officer while he/she is working, whether it is regular, secondary, or extra-duty employment.
- E. Any officer who wishes to work extra-duty must submit an approval form to the Extra Duty office. The Chief of Police will approve or deny the request. The decision by the Chief of Police is final.
- F. When an officer ceases working a particular detail, ceases administering a detail, or the detail terminates that officer will notify the Extra Duty Office immediately.
- G. Extra-duty approval forms for one-time details will be submitted for approval by the Chief of Police.
 - 1. A last minute detail may be approved by a Lieutenant or above (not a sergeant acting in that capacity) prior to an officer's working the detail. The approval form will be immediately forwarded to the Extra Duty Office.
 - 2. Any private parties or social events involving the serving of alcohol must be approved by the Chief of Police.
 - 3. The date and time worked on the detail will then be reported on the current work list.
- H. Officers will not work more than sixteen (16) hours in one day (including days off). This includes any combination of extra duty employment and/or regular duty.
 - 1. Regular duty is scheduled work hours, program overtime and other previously scheduled overtime, unless specified by the Chief of Police.
 - 2. Unscheduled overtime, such as "call outs" and court time, is not considered regular duty.
- I. Work hours for all outside employment must be scheduled in a manner that does not interfere with or impair the police employee's performance of duty. No secondary or extra duty employment will be worked while an officer is on-duty.
- J. Officers may not work extra duty or secondary employment while they are on sick leave or on light-duty status.
 - 1. Officers may work extra duty on a day they use sick leave for a doctor's appointment. Any other exemptions will be decided on a case by case basis, subject to the discretion of the Chief of Police.
 - 2. Officers that are on workers compensation shall not work extra duty or secondary employment.

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- K. A police officer engaged in any outside employment who is called-out will be expected to leave his secondary or extra duty job.
- L. Officers, who are asked to work an extra duty job involving a political activity, will submit the request to the extra duty office prior to working the job. It must be approved by the Chief of Police before the officer starts work.
 - 1. A detailed explanation of the type of activity and the specific duties of the job are to be listed on the extra duty approval form.
 - 2. If there are any questions regarding political functions and extra duty, they should be directed to the Extra Duty Office.
- M. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business requires approval by the Chief and will be authorized on a limited basis when special events warrant extra manpower in the City, e.g. Mardi Gras, football games, etc.
 - 1. Such employment will require a minimum of 2 officers for the first 100 occupants with an extra officer for every additional 100 occupants. (Example: Under 100 occupants 2 officers, 100-200 occupants 3 officers, 200-300 occupants 4 officers, and so forth).
 - 2. Officers are restricted to working the parking lot areas of the business.
 - 3. The business is required to have private security to handle all interior common duties (checking ID's, monitoring the crowd, etc.) associated with the business.

IV. Courtesy Dwellings

The Chief of Police must authorize employment as a courtesy officer for local apartments.

- A. Employment as a courtesy officer inside the city limits will be considered extra-duty. Officers must submit a completed Courtesy Apartment Employer's Application and an Officer's Extra Duty Approval form through the Extra Duty Office. Approval by the Chief of Police is required before starting the detail. It will not be necessary for courtesy officers to sign the extra duty logbook or complete monthly reports.
- B. Employment as a courtesy officer outside the city limits will be considered secondary employment. Therefore, a courtesy apartment employer's application form, approval form, and a letter to the Chief of Police requesting permission for employment must be submitted to the Extra Duty Office. Officers will not use police equipment or act in any capacity other than as an employee of the apartment complex.
- C. Employment as a courtesy officer will require the officer to list the courtesy dwelling address with City Parish Human Resources as their primary domicile.

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V. Uniforms and Equipment

- A. Officers working extra duty assignments will wear issued departmental uniform or appropriate plainclothes attire. If the extra duty approvals form specifies that the officer is to wear a uniform, the officer will wear departmental issued uniform. Officers will not wear individual parts of the uniform, unless approved by the Chief of Police. Officers working plainclothes assignments, as specified on extra duty approval form, the officer will wear their weapons fully concealed, as to the public not knowing you are the police, no "Police" t-shirts.
- B. All officers will notify Communications of their location and working hours prior to their extra duty assignment. Officers working extra duty will have their portable radio on at all times, unless the officer is in their unit and the unit is equipped with a working active modem. Upon leaving their unit the officer will have their portable radio on.
- C. Officers working plainclothes extra duty assignments will only use the unit for transportation to and from the assignment and for the transportation of prisoners.
- D. Police vehicles will not be used in secondary employment without authorization from the Chief of Police.

VI. Arrests by Extra-Duty Officers

- A. Officers working an extra duty job, alone, will call for an on-duty unit to transport prisoners. If two or more officers are working together, one will transport the arrestee to the nearest district where on-duty personnel will process him or her.
- B. The arresting officer will complete an affidavit of probable cause and arrestee information form before releasing the prisoner to on-duty personnel. The transporting officer shall then process the arrestee as per normal procedure.
- C. Officers working overtime programs will process their own prisoners.
- D. When an extra duty officer makes an arrest and the prisoner or officer is injured a supervisor from that District will respond to the scene. He or she will make arrangements for treatment of injured persons and booking the prisoner(s). Prisoners admitted to a hospital will be guarded according to established procedure.